

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

UNITED STATES OF AMERICA

v.

JASON WAYNE PLEAU; and
JOSE ALIBAL SANTIAGO,

Defendants.

C.R. No. 10-184 S

REVISED CASE MANAGEMENT ORDER

On August 1, 2012, this Court issued a case management order in the above-captioned case. (ECF No. 129.) After conferring with counsel regarding the schedule, the Court now amends the previous deadlines as reflected below. The Court intends to hold an additional case management conference in April 2013.

Pre-Trial Motions (Guilt Phase)

Due Date

Defendants' motions to suppress, to compel discovery, and to change venue	January 21, 2013
Government's responses	February 21, 2013
Defendants' replies	March 7, 2013

Pre-Trial Motions (Penalty Phase)

Due Date

Defendant Pleau's motion to dismiss the death penalty	January 7, 2013
Government's response	February 28, 2013
Defendant's reply	March 14, 2013
Other penalty phase motions by Defendant Pleau	February 4, 2013
Government's responses	March 4, 2013

Defendant's replies	March 18, 2013
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Mental Health Disclosures

Due Date

Defendant Pleau's Rule 12.2(b) disclosures	45 days from date of funding approval
Motions pursuant to Rule 12.2(c) ¹	14 days after Defendant's disclosures

Expert Witness Disclosures (Guilt Phase)²

Due Date

Government discloses expert witnesses expected to be called at guilt phase	February 4, 2013
Defendants disclose expert witnesses expected to be called at guilt phase	February 18, 2013

Expert Witness Disclosures (Penalty Phase)

Due Date

Government discloses expert witnesses expected to be called at penalty phase	February 4, 2013
Defendants disclose expert witnesses expected to be called at penalty phase	45 days from date of funding approval

Motions in Limine (Guilt Phase)

Due Date

<u>Daubert</u> motions to exclude expert witnesses and all other motions in limine	April 4, 2013
All responses to motions in limine	May 4, 2013
All replies	May 18, 2013

¹ The Court may discuss with counsel the appropriateness of utilizing separate government counsel for mental health disclosure issues.

² The deadlines for "expert witness disclosures" do not apply to mental health disclosures, which are addressed in the previous table.

Motions in Limine (Penalty Phase)Due Date

Daubert motions to exclude expert witnesses and all other motions in limine	TBD
All responses to motions in limine	TBD
All replies	TBD

Final Pre-Trial MattersDue Date

Outstanding government disclosures (<u>Jencks</u> materials)	August 5, 2013
Pre-trial memoranda	August 5, 2013
Fact witness list	August 5, 2013
Exhibit list	August 5, 2013
Preliminary jury instructions	August 5, 2013
Voir dire questions	August 5, 2013

Jury Selection and TrialDate

Parties submit a proposed juror questionnaire to the Court	May 20, 2013³
Jury summons	September 4, 2013
Voir dire begins	September 13, 2013
Trial begins upon seating the jury	September 13 - November 30, 2013

The Court may issue further case management orders as needed.

³ The Court will schedule a status conference to resolve any outstanding issues with respect to the juror questionnaires.

IT IS SO ORDERED.

W. Smith

William E. Smith
United States District Judge
Date:

1/25/13